

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, June 12, 2013, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Secretary Patricia Heim. Attending the meeting were board members Norma Lester, Darlene McNeece and Justin Pitt.

Approval of Meeting Minutes

On motion by Lester, seconded by McNeece, the board voted unanimously to approve the minutes from the March 13, 2013 regular board meeting.

Reconsiderations

10-01 Tony Greene, for failure to file a 2008 pre-general campaign financial disclosure report with the Maury County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Greene has had no previous matters before the board. (see below)

The board voted at its March 10, 2010 meeting to issue Mr. Greene a show cause notice.

The board voted at its April 14, 2010 meeting to assess Mr. Greene a \$10,000 civil penalty. Mr. Greene requested a reconsideration of the \$10,000 civil penalty assessment.

Mr. Greene submitted a statement for the board's consideration.

On motion by Pitt, seconded by Lester, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Mr. Greene a \$25 civil penalty.

10-11 Tony Greene, for failure to file a 2008 4th quarter campaign financial disclosure report with the Maury County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Greene has had a previous matter before the board.

The board voted at its April 14, 2010 meeting to issue Mr. Greene a show cause notice.

The board voted at its June 9, 2010 meeting to assess Mr. Greene a \$2,000 civil penalty. Mr. Greene requested a reconsideration of the \$2,000 civil penalty assessment.

Mr. Greene submitted a statement for the board's consideration.

On motion by Pitt, seconded by Lester, the board voted unanimously to reconsider the \$2,000 civil penalty assessment. On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Mr. Greene a \$25 civil penalty.

13-12 Iron Workers LU 492 PAC, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), 19 days late, maximum four hundred

seventy-five (\$475) civil penalty. The organization has had previous matters before the board.

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

The board voted at its March 13, 2013 meeting to assess the organization a \$50 civil penalty. The organization requested a reconsideration of the \$50 civil penalty assessment.

Lynn Agee, representative for the organization, submitted a statement for the board's consideration.

On motion by Heim, seconded by McNeece, the board voted unanimously not to reconsider the \$50 civil penalty assessment.

13-13 McCall PAC, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class two (2), 31 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board. (see below)

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

The board voted at its March 13, 2013 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

Albert B. McCall, II, president of the organization, submitted a statement for the board's consideration.

Director Rawlins informed the board that the PAC has closed its account with the Registry.

On motion by Heim, seconded by Pitt, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. On motion by Heim, seconded by McNeece, the board voted unanimously to reduce the civil penalty from \$10,000 to \$0.

13-14 McCall PAC, for failure to timely file a 2012 pre-general campaign financial disclosure report. Class one (1), ten days late, maximum two hundred fifty (\$250) civil penalty. The organization has had a previous matter before the board. (see above)

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

The board voted at its March 13, 2013 meeting to assess the organization a \$250 civil penalty. The organization requested a reconsideration of the \$250 civil penalty assessment.

Albert B. McCall, II, president of the organization, submitted a statement for the board's consideration.

Director Rawlins informed the board that the PAC has closed its account with the Registry.

No motion for reconsideration was made. Therefore, the \$250 civil penalty assessment stands.

13-20 Anita Tipton, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Tipton has had previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Ms. Tipton a show cause notice.

The board voted at its March 13, 2013 meeting to assess Ms. Tipton a \$10,000 civil penalty. Ms. Tipton requested a reconsideration of the \$10,000 civil penalty assessment.

Ms. Tipton filed the required report and submitted a statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. A motion was made by Pitt, seconded by McNeece, to assess Ms. Tipton a \$25 civil penalty. A friendly amendment was made by Lester, accepted by Pitt and McNeece, to assess Ms. Tipton a \$100 civil penalty. The motion to assess Ms. Tipton a \$100 civil penalty assessment passed the board unanimously.

Show Cause Hearings on Audits

13-24 Lois DeBerry, 2010 campaign finance audit. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. Rep. DeBerry has had no previous matters before the board.

The board voted at its March 13, 2013 meeting to issue Rep. DeBerry a show cause notice for Findings 1, 2, 4, 5, 6 and 7.

Rep. DeBerry requested that the board defer any further action in this matter until the next regularly scheduled meeting to allow her an opportunity to personally appear before the board.

Without objection, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting.

13-25 Richard Garvin, 2012 campaign finance audit. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. Mr. Garvin has had no previous matters before the board.

The board voted at its March 13, 2013 to issue Mr. Garvin a show cause notice for unsupported campaign contributions.

Director Rawlins informed the board that Mr. Garvin has amended and corrected his reports but that there has been no response to the show cause notice.

On motion by Pitt, seconded by Lester, the board voted unanimously to assess Mr. Garvin a \$300 civil penalty.

Cases Considered for Issuance of Show Cause Notice

Brock Bennington, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Bennington has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Brian Brewer, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Brewer has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Tommie Brown, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Brown has had previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Quenston Coleman, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Coleman has had previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Robert Dunham, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Dunham has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Lewis Edwards, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Edwards has had a previous matter before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Anthony Hancock, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Hancock has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Ryan Harring, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Harring has had a previous matter before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Leah Kirk, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Kirk has had a previous matter before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Janis Sontany, for failure to timely file a 2012 year-end supplemental campaign financial disclosure report. Class one (1), 28 days late, maximum seven hundred (\$700) civil penalty. Ms. Sontany has had a previous matter before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Randy Walker, for failure to file a 2012 year-end supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Walker has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Davidson County Democratic Executive Committee, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to take no action.

Ocoee Region Builders Association, for failure to file a 2012 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Support Tennessee Grapes and Wines, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class two (2), 53 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Tennessee Fire Sprinkler Contractors PAC, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class two (2), 72 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Amy Broyles, for failure to file a 2012 year-end supplemental campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Broyles has had previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Scott Davis, for failure to file a 2012 year-end supplemental campaign financial disclosure report with the Davidson County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Davis has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Local IAFF 4381 PAC, for failure to timely file a 2012 year-end supplemental campaign financial disclosure report with the Maury County Election Commission. Class one (1), 17 days late, maximum four hundred twenty-five (\$425) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice.

Audit Review

James Harrell

On motion by Pitt, seconded by McNeece, the board voted unanimously to approve Mr. Harrell's 2012 campaign finance audit with no findings.

Jason Potts

On motion by Pitt, seconded by McNeece, the board voted unanimously to approve Mr. Potts' 2012 campaign finance audit with the included finding.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action in this matter.

Cross Indexing Report

Director Rawlins provided the board with a cross indexing report which contains contributions reported as being given by PACs but not reported by candidates for the 2012 3rd quarter, 2012 pre-general and 2012 4th quarter reporting periods. Director Rawlins informed the board that the list contained only those that exceeded the exemptions contained in T.C.A. §2-10-110.

The following candidates failed to report PAC contribution(s) on their original campaign financial disclosure statements:

- Joe Armstrong

- Joe Carr
- Ben Claybaker
- Ty Cobb
- John DeBerry, Jr.
- Barry Doss
- Mark Green
- G. A. Hardaway
- Thelma Harper
- Andrew Holt
- Bill Ketron
- Susan Lynn
- Debra Young Maggart
- Bo Mitchell
- Judd Matheny
- Phillip North
- Courtney Rogers
- John Tidwell
- Bill Sanderson
- Mike Turner
- Antonio Parkinson
- Michael Sparks
- Mike Stewart

On motion by Heim, seconded by McNeece, the board voted unanimously to issue a show cause notice to the following candidates:

- Joe Armstrong
- Joe Carr
- Ben Claybaker
- Ty Cobb
- John DeBerry, Jr.
- Barry Doss
- Mark Green
- G. A. Hardaway
- Thelma Harper
- Andrew Holt
- Bill Ketron
- Susan Lynn
- Debra Young Maggart
- Bo Mitchell
- Judd Matheny
- Phillip North
- Courtney Rogers
- John Tidwell

- Bill Sanderson
- Mike Turner

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice to the following candidates:

- Antonio Parkinson
- Michael Sparks
- Mike Stewart

Executive Director's Report

- Director Rawlins provided the board with Rep. Michael Sparks' 2012 4th quarter campaign financial disclosure statement. Director Rawlins informed the board that it appears that Rep. Sparks accepted four campaign contributions during legislative session, which is prohibited by law.

On motion by Pitt, seconded by Lester, the board voted unanimously to issue Rep. Sparks a show cause notice.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for August 21, 2013.

On motion by Heim, seconded by McNeece, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.